IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITON NO.195 OF 2007

Eva Maria Mathai ..Petitioner.

V/s.

Union of India & Ors. ..Respondents.

Mr.S.N.Kantawala with Vinod Kothri i/b. M/s. Apex Law Partners for petitioner.

Mrs.S.V.Bharucha with Y.R.Mishra and D.A.Dube for respondents.

CORAM : DR. S.RADHAKRISHNAN AND J.P.DEVADHAR, JJ.

DATED : 28TH FEBRUARY, 2007.

P.C. :-

Heard learned counsel for the petitioner and the respondents. By this petition, the petitioner is seeking enforcement of the order dated 3rd May, 2006 and 29th June, 2006 passed by respondent Nos.3 & 2 respectively directing the respondent No.3 to refund the amount of Rs.16,39,950/- with interest.

2. With regard to the order of the Joint Secretary the respondents have filed an appeal bearing Customs Appeal No.38 of 2007 which we have dismissed by our order passed today.

3. The learned counsel for the petitioner fairly states that the petitioner is not pressing for grant of interest. However, he prayed that the respondents should refund amount of Rs.16,39,950/- within a period of 6 weeks from today.

4. The learned counsel for the respondents states that the amount of Rs.16,39,950/- would be refunded within a period of 6 weeks from today.

5. It is made clear that if the respondents fail to refund the said amount within a period of 6 weeks from today, the respondents shall pay interest @ 12% thereafter and the said interest amount shall be recovered from the concerned officer who was responsible in not refunding the same within a period of 6 weeks.

6. Petition stands disposed of accordingly.

(DR.S.RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)